

CHAPTER 391

NATIONAL MUSEUMS

Ordinance  
No. 31 of 1942.

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF NATIONAL MUSEUMS IN SRI LANKA, AND TO DECLARE THE COLOMBO AND KANDY MUSEUMS TO BE NATIONAL MUSEUMS.

[27th August, 1942.]

Short title.

1. This Ordinance may be cited as the National Museums Ordinance.

4. (1) There may be appointed—

Appointment of officers.

Establishment of National Museums.

2. The Minister may from time to time by Order published in the Gazette establish one or more National Museums for the collection, preservation and exhibition of objects of scientific, historical or artistic interest and for the maintenance of libraries of books and other documents relating to subjects and matters of such interest.

(a) a person, by name or by office, to be or to act as Director of Museums ;

(b) such Assistant Directors of Museums and other officers and servants as may be necessary for the purposes of this Ordinance.

Colombo and Kandy Museums deemed to be National Museums.

3. (1) On and after the 20th day of November, 1942, the Colombo Museum established under the Museum Ordinance\*, and the institution, heretofore subsisting, called and known as the Kandy Museum, shall be deemed to be National Museums established under this Ordinance.

(2) The person appointed under the Museum Ordinance\* to be or to act as Director, Colombo Museum, and holding office on the date immediately preceding the 20th day of November, 1942, shall be deemed to have been appointed under subsection (1) to be, or, as the case may be, to act, as Director of Museums and shall hold office accordingly.

(2) Save as otherwise provided in subsection (3), all books, documents and objects whatsoever which may, at the date of the commencement of this Ordinance, be kept or preserved at the Colombo Museum or the Kandy Museum referred to in subsection (1) and all property whatsoever belonging or appertaining to any such museum shall be vested in the Government; and no such book, document, object or property shall, notwithstanding anything in any written or other law to the contrary, be sold, exchanged or otherwise disposed of at any time before the 20th day of November, 1942.

(3) Any Assistant Director authorized by the Director in that behalf shall have and may exercise all or any of the powers or functions conferred upon or vested in the Director by or under this Ordinance.

(4) The Director and other officers appointed under this section shall, in the exercise and performance of the powers and duties conferred on them by or under this Ordinance, be subject to the general direction and control of the Minister.

(3) Nothing in subsection (2) shall be deemed to apply in the case of any book, document or object which has been temporarily lent for the purpose of being displayed or exhibited at the Colombo Museum or the Kandy Museum.

5. (1) There shall be for every National Museum an advisory committee consisting of—

Constitution of advisory committees.

(a) the Director of Museums; and

(b) such other members, not exceeding ten in number, as may be appointed by the Minister.

•Repealed by Ordinance No. 31 of 1942.

(2) Five at least of the persons appointed by the Minister under subsection (1) (b) to be members of an advisory committee shall be persons not holding any office of emolument under the State.

(3) Every member of an advisory committee who is appointed under subsection (1) (b) shall, unless he earlier vacates the office or is removed by the Minister therefrom, hold office for a period of three years from the date of his appointment, or for such other period as the Minister may determine at the time of the appointment. Any member vacating the office by effluxion of time shall be eligible for reappointment.

(4) The Director shall be the chairman of every advisory committee :

Provided, however, that in the absence of the Director from any meeting of any such committee, an Assistant Director authorized in that behalf by the Director shall preside at such meeting, and shall for the purposes of such meeting be deemed to be a member of the committee.

(5) Meetings of an advisory committee shall be summoned by the Director whenever he may deem it necessary, and a meeting of every such committee shall be summoned by him once at least in each half-year:

Provided that the director shall summon a meeting of an advisory committee whenever he is requested in writing so to do by not less than three members of that committee.

(6) Any member of the committee who, without the leave of the committee first obtained, fails to attend any three consecutive meetings of the committee shall be deemed to have vacated the office of member.

6. (1) It shall be the duty of the advisory committee constituted for any National Museum to advise the Director on

all such matters relating to the management and administration of the museum as may be referred by him to the committee for advice, and to perform all such duties as may be imposed on the committee by any regulation.

(2) The advisory committee constituted for any National Museum may from time to time make such representations or recommendations to the Director as the committee may consider necessary relating to the management and administration of the museum.

(3) Regulations may be made providing for the conduct of business by advisory committees, and prescribing the procedure to be followed at meetings of such committees. Subject to such regulations, every such committee may regulate its own procedure.

7. The Director may, acting with the prior approval of the Minister in any particular case, or under such general authority and in accordance with such instructions as may be given to him by the Minister in that behalf—

Power of Director to purchase, exchange, dispose of or lend books and objects.

(a) purchase for the purpose of preservation at any National Museum any book, document or object which it is in his opinion desirable to acquire for that museum;

(b) exchange or sell, or dispose of, whether by way of gift or otherwise, any book, document or object kept at any National Museum, which is a duplicate book, document or object, or which is in his opinion unfit to be preserved or not required for the purposes of the museum;

(c) lend any book, document or object kept at any National Museum for the purpose of being temporarily displayed at any gallery, museum or exhibition;

(d) transfer any books, documents or objects from any National Museum to any other such museum.

Duties. &c., of advisory committees.

Vesting in the Government of objects given to or acquired for a National Museum.

8. All books, documents or objects given or bequeathed to any National Museum, or to the public or the Director for the purposes of any such museum, or given or bequeathed by words showing an intention that the gifts should enure to or for the benefit of any such museum, or which are acquired by purchase or otherwise for the purposes of the museum, shall vest in the Government.

Regulations.

9. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations for or in respect of all or any of the following matters :—

- (a) all matters stated or required in this Ordinance to be prescribed or in respect of which regulations are required or authorized to be made under this Ordinance;
- (b) the management and administration of any National Museum and the powers, functions and duties of the Director and other officers and servants appointed under this Ordinance,
- (c) the admission of visitors to any National Museum, including the fees to be paid by such visitors and the regulation of the conduct of such visitors;
- (d) the regulation of the use of any National Museum and of the premises thereof, the protection of the books, documents and objects kept or preserved therein, and the prohibition or restriction of the taking of photographs of such books, documents or objects;

(e) the imposition of fees to be charged in respect of the use of rooms in any National Museum, or from persons by whom any photographs are taken of any book, document or object kept or preserved at any such museum;

(f) the publication of books or journals by the Director, and the sale of such books or journals;

(g) the maintenance at any National Museum of collections of live animals, birds and fishes, and the care and custody of such animals, birds and fishes.

(3) Regulations under this section may be made in respect of all National Museums in Sri Lanka or in respect of any specified National Museum or Museums.

(4) No regulation made under this section shall have effect until it has been approved by Parliament nor until notification of such approval has been published in the Gazette.

(5) Every regulation made by the Minister shall upon the publication of a notification of the approval of that regulation as provided for in subsection (4), be as valid and effectual as if it were herein enacted.

10. (1) All expenses incurred for the purpose of the maintenance and administration of National Museums or the purchase or acquisition of books, documents and objects for National Museums or of carrying out the provisions of this Ordinance shall be paid out of moneys voted by Parliament for the purpose. Financial Provisions.

(2) All sums recovered by the sale of any books, documents or objects kept at any National Museum or of books or journals published by the Director under the

authority of this Ordinance, and all sums recovered in payment of fees imposed under this Ordinance, shall be credited to the Consolidated Fund.

Offences and penalties.

11. (1) Any person who wilfully causes any damage to any book, document or object kept or preserved at any National Museum shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year, or to both such fine and imprisonment.

(2) Any person who acts in contravention of any regulation made under this Ordinance shall be guilty of an offence and liable to a fine not exceeding fifty rupees.

Liability for damage caused to objects in museums.

12. (1) Any person who causes any damage to any book, document or object kept or preserved at any National Museum, shall be liable to pay to the State a sum equal to twice the value of the book,

document or article; and any sum so payable may be recovered by civil action.

(2) The provisions of subsection (1) shall be in addition to and not in derogation of the provisions of section 11.

13. In this Ordinance, unless the context otherwise requires—

Interpretation.

" Director " means the Director of Museums appointed under section 4, and " Assistant Director " has a corresponding meaning;

" National Museum " means a National Museum established under section 2 and includes any museum declared by section 3 to be a National Museum for the purposes of this Ordinance;

" prescribed " means prescribed by regulation;

" regulation " means a regulation made by the Minister under section 9.